

RENTON CITY COUNCIL
Regular Meeting

January 10, 2000
Monday, 7:30 p.m.

Council Chambers
Municipal Building

MINUTES

CALL TO ORDER

Mayor Jesse Tanner led the Pledge of Allegiance to the flag and called the meeting of the Renton City Council to order.

**ROLL CALL OF
COUNCILMEMBERS**

TIMOTHY SCHLITZER, Council President Pro tem; TONI NELSON; BOB EDWARDS, KATHY KEOLKER-WHEELER; DON PERSSON; KING PARKER.

MOVED BY SCHLITZER, SECONDED BY PARKER, COUNCIL EXCUSE ABSENT COUNCILMAN RANDY CORMAN. CARRIED.

**CITY STAFF IN
ATTENDANCE**

JESSE TANNER, Mayor; JAY COVINGTON, Chief Administrative Officer; ZANETTA FONTES, Assistant City Attorney; MARILYN PETERSEN, City Clerk; GREGG ZIMMERMAN, Planning/Building/Public Works Administrator; VICTORIA RUNKLE, Finance & Information Services Administrator; JIM SHEPEHERD, Community Services Administrator; SUSAN CARLSON, Economic Development Administrator; GLENN KOST, CIP Manager; REBECCA LIND, Principal Planner; ROB JENKINS, Senior Planner; DEREK TODD, Finance Analyst; COMMANDER FLOYD ELDRIDGE, Police Department.

PRESS

Robert Teodosio, *Renton Reporter*

**APPROVAL OF
COUNCIL MINUTES**

MOVED BY SCHLITZER, SECONDED BY NELSON, COUNCIL APPROVE THE MINUTES OF DECEMBER 20, 1999 AS PRESENTED. CARRIED. Councilman Edwards abstained from voting.

PROCLAMATIONS

Junior Achievement Week –
January 9-16

A proclamation by Mayor Tanner was read declaring the week of January 9 through 16, 2000, to be “Junior Achievement Week” in the City of Renton, and encouraging all citizens and businesses to appreciate business education efforts and to value free enterprise, business, and economics that improve the quality of lives. MOVED BY SCHLITZER, SECONDED BY PARKER, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

Venessa Lange, Nichole Sahli and Laura Newbolt accepted the proclamation on behalf of Hazen High School’s DECA students.

Bob Edwards Week – January
10-16

Councilman Bob Edwards read a letter submitting his resignation of office as an elected member of the Renton City Council. Mr. Edwards said he has enjoyed serving the Renton community for the last ten years and believes that the City’s community spirit is a true treasure.

Mayor Tanner accepted Mr. Edwards’ resignation and congratulated him on his election as Commissioner for the Port of Seattle. A proclamation by Mayor Tanner was then read declaring the week of January 10 through 16, 2000, to be “Bob Edwards Week” in the City of Renton, and inviting all residents to join in this salute with grateful appreciation for a job well done and best wishes for an equally successful tenure as Port Commissioner for the Port of Seattle. MOVED BY SCHLITZER, SECONDED BY KEOLKER-WHEELER, COUNCIL CONCUR IN THE PROCLAMATION AS READ. CARRIED.

Mayor Tanner then acknowledged the existence of a vacancy on the Renton City

Council, term to expire on 12/31/2001. He invited qualified persons who wish to be appointed to the position to submit a letter of interest to the City Clerk along with additional information, if desired, according to Council policy. (See page 10 for more discussion of the procedure to be followed in filling this vacancy.)

Council President Pro tem Schlitzer presented a gift from the entire Council to Mr. Edwards in appreciation of his dedicated service to the City of Renton over the past ten years. (Mr. Edwards then left the meeting and did not participate in any further business.)

PUBLIC HEARING

Planning: Sensitive Areas Ordinance

This being the date set and proper notices having been posted and published in accordance with local and State laws, Mayor Tanner opened the public hearing to consider the proposed changes to the Sensitive Areas Ordinance.

Rob Jenkins, Senior Planner, stated for the record that as part of their review of the proposed Sensitive Areas Ordinance, staff, the Planning Commission and the Planning and Development Committee are addressing how “best available science” was addressed in ordinance preparation. The various methods used by the City are documented in a memorandum dated 12/22/99 to Rebecca Lind, Principal Planner for the City, from Lisa Grueter, senior planner with the consulting firm of Bucher, Willis and Ratliff. This memorandum, which is currently under review by the Planning Commission and the Planning & Development Committee, is entered into the record by reference. Mr. Jenkins added that how the topic of best available science is balanced with other policies of the Comprehensive Plan will be discussed and documented with the Planning Commission and the Planning & Development Committee following this public hearing, and entered as a matter of public record at that time.

Continuing, Mr. Jenkins said the proposed changes are: reorganize and amend existing sensitive areas regulations relating to flood hazards, geologic hazards and wetlands; establish new regulation of critical habitat areas; and establish reserved sections from aquifer protection and shorelines, streams and lakes. The changes are being proposed because an overlap currently exists between the City’s wetlands regulations, tree-cutting and land-clearing regulations, and greenbelt regulations.

The proposed changes affect various sections of the ordinance, including the general penalty chapter, the administration and enforcement chapter, the development guidelines & regulations section, the grading, mining and excavation section. The flood hazard, greenbelt and wetland regulations sections have been deleted and their concepts and language folded into other parts of the Code.

Mr. Jenkins explained that the proposed changes have many objectives. These are to:

1. Retain regulations which are consistent with the Comprehensive Plan;
2. Ensure that Comprehensive Plan policies are being implemented;
3. Keep current with environmental case law;
4. Organize existing and future environmental regulations into one section;
5. Reassess regulations to create a balance between resource protection, enforcement, and fairness to property owners; and
6. Create a framework in which the requirements of the Endangered Species Act can be addressed.

Mr. Jenkins noted that regulations pertaining to the Endangered Species Act will be added to the “Shorelines, Streams and Lakes” section of the Sensitive Areas

Ordinance once the federal government has established protective rules for the Chinook salmon and the Bull trout, both of which have been declared endangered.

Continuing, Mr. Jenkins said the Sensitive Areas Ordinance delineates the following six sensitive areas: flood hazards, geologic hazards, habitat conservation, wetlands, aquifer recharge and shorelines/streams/lakes. The language addresses exempt and prohibited activities in the various areas, and includes both new and modified language describing how sensitive areas and their buffers are to be protected. For example, with respect to habitat conservation, the new section requires certain things before new development can proceed, as follows: assessments of critical plant or wildlife habitats; establishments of native growth protection areas; and mitigation for any disturbance to existing habitat.

One significant change in the Grading, Excavation and Mining regulations would prohibit the creation, through cut and fill procedures, of subdivision lots with 40% or greater slopes. Also, new language in the Tree Cutting and Land Clearing section would require approved land development permits prior to tree cutting or land clearing related to new development. This section would additionally establish new criteria for when thinning of timber stands is allowed.

Mr. Jenkins concluded that the Planning Commission is scheduled to complete its review of this subject on January 19th. This matter will remain in Council's Planning & Development Committee pending a report from the Planning Commission and a recommendation to the full Council.

Audience comment was invited.

David Halinen, 10500 NE 8th St., Bellevue, 98004, submitted copies of a letter he wrote in December to the Planning Commission on this subject. The letter requested that the proposed new method of measuring steep slopes not be adopted, and that the current slope definition instead be retained with minor modifications. Mr. Halinen said because natural slopes are never uniform, the proposed new definition is not suited for analysis of the kinds of slopes which must routinely be addressed. He pointed out that the proposed definition refers to "distinct topographic breaks" relating to benches or plateaus of unspecified parameters, but such vague terms should be avoided wherever possible.

Mr. Halinen then requested specific changes to the section titled "Slopes 40% (Forty Percent) or Greater" to add two new exceptions to this prohibition, as follows: a) filling against the base of a 40% or greater slope pursuant to previous grading or mining activities; and b) grading to the extent that it eliminates all or portion(s) of a 40% or greater slope. Mr. Halinen claimed that these activities would actually lessen or even eliminate the risk of slope failures.

MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL REFER MR. HALINEN'S LETTER ON THIS SUBJECT TO THE PLANNING & DEVELOPMENT COMMITTEE AND PLANNING STAFF, WITH COPIES TO THE PLANNING COMMISSION. CARRIED.

Larry Brosman, 3625 NE 9th St., Renton, 98056, chair of the Planning Commission, said that the Commission has not yet received Mr. Halinen's letter on the 40% slope issue but will consider it at their January 19th meeting.

There being no further audience comment, it was MOVED BY PARKER,

SECONDED BY NELSON, COUNCIL CLOSE THE PUBLIC HEARING.
CARRIED.

ADMINISTRATIVE REPORT

Chief Administrative Officer Jay Covington reviewed a written administrative report summarizing the City's recent progress towards goals and work programs adopted as part of its business plan for 2000 and beyond. Items noted included:

- ✱ The State Department of Health has approved Renton's Wellhead Protection Plan for its water supply through April 30, 2005.
- ✱ The City of Renton's community services scholarship program, administered by Human Services and the Parks Department, awarded 82 scholarships made possible by donations from many community organizations.
- ✱ The New Year Winter Fitness Extravaganza, held Jan. 5th, provided demonstrations in yoga, aerobics, and kick-boxing along with other wellness and exercise information.

AUDIENCE COMMENT

Citizen Comment: Kavesh –
Sheridan Mixed-Use
Development in the Downtown
& Alley Closure

Jerry Kavesh, owner of Renton Western Wear, 724 S. Third St., Renton, 98055, said although downtown business owners look forward to the Sheridan mixed-use development project, those who use the alley between Second and Third from Burnett to Williams don't want this access closed. Mr. Kavesh explained that his business frequently uses the alley for deliveries and other purposes. He asked that his comments be considered along with his belief that if the alley is closed, Dally Homes should be required to provide monetary mitigation to Renton Western Wear for business disruption and increased operating costs resulting from the closure.

CONSENT AGENDA

Appointment: Municipal Arts
Commission

Items on the consent agenda are adopted by one motion which follows the listing.

Mayor Tanner appointed Renne Saling, 17560 SE 136th St., Renton, 98059, to the Municipal Arts Commission to fill a vacancy for a three-year term which expires on 12/31/2001; and appointed Marie Brown, 2000 Benson Rd. #115-350, Renton, 98055, also to the Municipal Arts Commission to fill a vacancy for a three-year term which expires on 12/31/2002. Refer to Community Services Committee.

CAG: 99-160, 1999 Sewer Lift
Station (Talbot Crest)
Replacement, Hisey Const

City Clerk reported bid opening on 12/07/99 for CAG-99-160, 1999 Sewer Lift Station Replacement project; 13 bids; engineer's estimate \$298,925.00; and submitted staff recommendation to award the contract to the low bidder, Hisey Construction, Inc., in the amount of \$236,965.20. Council concur.

Parks: Former City Hall
Building Jail and Basement
Demolition

Community Services Department requested authorization to demolish the jail and police portions of the ground floor of the former city hall building at 200 Mill Ave. S. to complete conversion of the building for high-tech office space. Refer to Community Services Committee.

Parks: King County Funding to
Purchase May Creek Open
Space

Community Services Department recommended approval of an amendment to an interlocal agreement with King County for open space funding to accept up to \$200,000 in matching funds which Renton will use to acquire open space property along May Creek near I-405. Council concur. (See page 9 for resolution.)

Parks: Glenn Property
Acquisition (May Creek)

Community Services Department recommended approval of a purchase and sale agreement with John W. Glenn Jr. and Ellen L. Glenn for approximately 1/2 acre of land along May Creek between I-405 and Jones Ave. NE at the negotiated price of \$140,000. Council concur.

CRT: 99-011, Holmes v Renton	Court Case filed on 12/23/99 in King County Superior Court on behalf of Inez Holmes, a resident of King County, alleging personal injuries and unreasonable search and seizure after being stopped by Renton police officers on 12/25/96 while driving her car, which was incorrectly listed as stolen. Refer to <u>City Attorney and Insurance Services</u> .
Development Services: Request for Release of Restrictive Covenant (Q-1 Corp, Grady Way & Oakesdale)	Development Services Division recommended approval of the request from Chuck Kim, president of Q-1 Corporation, 1160 Industry Dr., Seattle, 98188, to remove a restrictive covenant on property located on the south side of Grady Way, 250 feet west of Oakesdale Ave. SW, as the property has been rezoned and the covenant is inconsistent with development standards in the new zone. Refer to <u>Planning & Development Committee</u> .
Annexation: Morrison, SE 128th St	Economic Development, Neighborhoods and Strategic Planning Department requested a public hearing be set on January 24, 2000 on zoning for the Morrison Annexation (40.56 acres located north of SE 128th St.). Council concur.
Streets: N 8th & Houser, Deed of Dedication from Boeing	Property Services Division recommended accepting a Deed of Dedication from The Boeing Company for the corner rounding N. 8th St. and Houser Way N. (the public street was constructed in 1989 but lies partially on Boeing property). Council concur.
<u>Added Item 8.i.</u> Finance: Special Projects Specialist Reclassification	Finance & Information Services Department requested approval of the reclassification of the Special Projects Specialist from Grade 20 to Grade 24, retroactive to July 25, 1999. Council concur. MOVED BY SCHLITZER, SECONDED BY KEOLKER-WHEELER, COUNCIL APPROVE THE CONSENT AGENDA AS PRESENTED. CARRIED.
CORRESPONDENCE Citizen Comment: Blake – Municipal Airport Apron “C” Leases	Correspondence was read from Al Blake, Cedar River Hangar Limited Partnership, 749 East Perimeter Rd., Renton, 98055, regarding Boeing’s turnback to the City of Renton portions of Apron “C” which were previously used by his business for tiedown space. MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL REFER THIS LETTER TO THE <u>TRANSPORTATION (AVIATION) COMMITTEE</u> . CARRIED.
Citizen Comment: Kavesh – Sheridan Mixed-Use Development in the Downtown & Alley Closure	Correspondence was read from Gina Kavesh, representing Renton Western Wear, 724 S. Third St., regarding the proposed closure of the alley located behind the business. MOVED BY PARKER, SECONDED BY KEOLKER-WHEELER, COUNCIL REFER THIS LETTER TO THE <u>PLANNING & DEVELOPMENT COMMITTEE</u> . CARRIED.
Citizen Comment: Perry – Sheridan Mixed-Use Development in the Downtown & Alley Closure	Correspondence was read from Shannon Perry, American Drapery, 700 S. Third St., also regarding the proposed closure of the alley related to the Sheridan mixed-use development project in the downtown. Ms. Perry was particularly concerned with the potential for interrupted telephone service due to excavation projects in this area. MOVED BY KEOLKER-WHEELER, SECONDED BY SCHLITZER, COUNCIL REFER THIS LETTER TO THE <u>PLANNING & DEVELOPMENT COMMITTEE</u> . CARRIED.
	Councilmember Keolker-Wheeler asked that all property owners and tenants who would potentially be affected by this matter receive notice of the meeting date and time at which the committee will consider this subject. She also asked that US West be given the same information.

OLD BUSINESS**Transportation (Aviation Committee)**

Lease: Boeing Lease of Apron
"C" (Municipal Airport),
Transfer Back to City

Transportation Committee Member Parker presented a report recommending that Council approve the Boeing Company's release, to the City, of approximately 122,346 square feet of the airport's west side area referred to as Apron "C" for use by the City for the purpose of leasing outside aircraft storage areas on a month-to-month basis. The Committee further recommended that the Mayor and City Clerk be authorized to execute Addendum #18 to the applicable lease (LAG-65-877). MOVED BY PARKER, SECONDED BY SCHLITZER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Utilities Committee

Public Works: Centex Homes
Oversizing for East Renton
Interceptor Extension
(Reimbursement)

Utilities Committee Vice Chair Keolker-Wheeler presented a report recommending concurrence in the staff recommendation that the request by Centex Homes for oversizing on the extension of the East Renton Interceptor, previously approved for \$89,707.01, be approved to include additional costs for a new total of \$100,232.20. This revised figure represents actual costs of materials purchased by Centex Homes that were eligible for oversizing reimbursement. MOVED BY KEOLKER-WHEELER, SECONDED BY SCHLITZER, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance Committee

Parks: Facilities Division
Reorganization

Finance Committee Chair Parker presented a report recommending that the Facilities Division Director be authorized to reorganize the division from two supervisors and two leads to three supervisors and one lead. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE REPORT AS READ. CARRIED.

Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Payroll Vouchers 23442 - 23655 and 517 direct deposits totaling \$963,165.94. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Payroll Vouchers 23224 - 23441 and 519 direct deposits totaling \$983,832.64. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

Finance: Vouchers

Finance Committee Chair Parker presented a report recommending approval of Claim Vouchers 177516 - 177974 and two wire transfers in the total amount of \$2,548,471.27. MOVED BY PARKER, SECONDED BY NELSON, COUNCIL CONCUR IN THE COMMITTEE REPORT. CARRIED.

ORDINANCES AND RESOLUTIONS**Resolution #3429**

Parks: King County Funding to
Purchase May Creek Open
Space

The following resolutions were presented for reading and adoption:

A resolution was read authorizing the Mayor and City Clerk to sign an amendment to an interlocal agreement with King County for Conservation Futures Levy Fund monies by including a \$200,000 allocation for the acquisition of open space along May Creek. MOVED BY SCHLITZER, SECONDED BY NELSON, COUNCIL ADOPT THE RESOLUTION AS READ. CARRIED.

The following ordinances were presented for first reading and referred to the Council meeting of 1/24/2000 for second and final reading:

Legal: Adult Retail Use
Regulations

An ordinance was read amending subsections 4-2-060.C, 4-2-060.E, 4-2-070.J, K, L, M, N, P, Q and R, Section 4-2-080.A of Chapter 2, Land Use Districts, Section 4-3-010 of Chapter 3, Environmental Regulations & Special Districts, Sections 4-8-080.G and 4-8-110.E of Chapter 8, Permits and Decisions, Sections

4-11-040 and 4-11-160 of Chapter 11, Definitions, of Title IV (Development Regulations); and Section 5-12-1 of Chapter 12, Adult Entertainment Standards, of Title V (Finance and Business Regulations) of City Code by adding and amending definitions, identifying zones where adult uses could locate, and identifying a process to extend the amortization period. MOVED BY KEOLKER-WHEELER, SECONDED BY NELSON, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 1/24/99. CARRIED.

Legal: Adult Retail Use
Regulations

An ordinance was read amending Section 4-3-010 of Chapter 3, Environmental Regulations and Special Districts, and Sections 4-11-010 and 4-11-190 of Chapter 11, Definitions, of Title IV (Development Regulations) of City Code by adding provisions to regulate the location of adult retail uses, and adding definitions. MOVED BY KEOLKER-WHEELER, SECONDED BY SCHLITZER, COUNCIL REFER THE ORDINANCE FOR SECOND AND FINAL READING ON 1/24/99. CARRIED.

Assistant City Attorney Zanetta Fontes requested that newly elected Councilman Don Persson review the legislative record on this subject as he will be voting on these two ordinances next week.

NEW BUSINESS
Council: Vacancy
(Appointment Process)

MOVED BY SCHLITZER, SECONDED BY KEOLKER-WHEELER, COUNCIL HOLD A SPECIAL COMMITTEE OF THE WHOLE MEETING ON JANUARY 17, 2000, AT 6:30 PM. IN THE COUNCIL CONFERENCE ROOM TO FORMULATE INTERVIEW QUESTIONS, AND AT 7:00 P.M. IN THE COUNCIL CHAMBERS TO CONDUCT INTERVIEWS FOR COUNCIL POSITION #2 WHICH WAS VACATED EARLIER THIS EVENING BY BOB EDWARDS. CARRIED.

Mr. Schlitzer noted that Council expects to appoint the new Councilmember on January 24th. Mr. Parker added that Council has agreed to accept letters of interest and other written materials until 12:00 noon on Monday, January 17th.

ADJOURNMENT

MOVED BY NELSON, SECONDED BY PARKER, COUNCIL ADJOURN. CARRIED. Time: 8:42 p.m.

MARILYN J. PETERSEN, CMC, City Clerk

Recorder: Brenda Fritsvold
January 17, 2000